

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JOSEPH SOTO,

Plaintiff,

v.

Case No. 04-70966

NORMAN MINETA,

Honorable Arthur J. Tarnow

Defendant.

Hon. Donald A. Scheer

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**ORDER ADOPTING REPORT AND RECOMMENDATION [44];
AND GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT [37]**

Before the court is Magistrate Judge Scheer's report and recommendation that defendant's motion for summary judgment be granted. Having reviewed the objections, the court ADOPTS the report and recommendation.

Defendant's motion for summary judgment is GRANTED.

SO ORDERED.

S/ARTHUR J. TARNOW

Arthur J. Tarnow
United States District Judge

Dated: September 30, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 30, 2008, by electronic and/or ordinary mail.

S/THERESA E. TAYLOR

Case Manager